

\*\*NOT FOR PRINTED PUBLICATION\*\*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

GARLAND WAYNE BALLENTINE, III §  
VS. § CIVIL ACTION NO. 9:18cv119  
BRIAN COLLIER §

ORDER ACCEPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION

Garland Wayne Ballentine, III, proceeding *pro se*, filed the above-styled civil rights lawsuit. The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to applicable orders of this court. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that a motion for summary judgment filed by plaintiff be denied.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. No objections to the Report and Recommendation were filed by the parties.

## ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ACCEPTED**. Plaintiff's motion for summary judgment is **DENIED**.

So ORDERED and SIGNED, Aug 15, 2020.

Ron Clark  
Ron Clark  
Senior Judge